

Remarks

Claims 24, 25, and 34 have been amended. New claims 35 and 36 have been added. After amendment, claims 22-36 are pending. Examination and reconsideration of the application as amended is requested.

Support for new claims 35 and 36 can be found in Figures 2-4 and those portions of the specification discussing these Figures.

Claim Objections.

Claim 25 has been objected to as being informal. The Examiner believes that claim 25 should depend from claim 23 not claim 24. Without conceding that the Examiner is correct, Applicants have amended claim 25 to make it depend from claim 23 thereby overcoming the objection.

§ 112 Rejections.

Claims 24 and 34 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have amended claims 24 and 34 to remove the language referring to the “upper portions of the structured surface”. Applicants submit that these amendments overcome the rejection of claims 24 and 34 under 35 U.S.C. § 112, second paragraph, and that the rejection should be withdrawn.

§ 103 Rejections.

Claims 22-34 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowland (U.S. 3,810,804) in view of McGrath (U.S. 4,025,159).

Claims 22-34 further stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chau (U.S. 5,735,988) in view of Rowland (U.S. 3,810,804). Applicants submit that both of the rejections are improper and should be withdrawn.

Rowland in view of McGrath.

The Rowland reference discloses and teaches making a retroreflective article that employs a number of raised “cube” corner formations. See reference number 20 in Figure 2. These raised formations are arranged in a manner that provides a continuous network of linear grooves between the formations. See Figure 1 for a top view that best illustrates the network of linear grooves.

The linear grooves in Rowland are not cube corner cavities. The faces of the linear grooves cannot define cavities because they do not provide walls on three sides. Consequently, Rowland can neither show nor suggest the use of cube corner cavities.

The McGrath reference discloses and teaches a method of making a “cellular” retroreflective sheeting. This sheeting is comprised of a base layer of retroreflective elements and a transparent cover film in a spaced relation from the base layer by a network of intersecting bonds to create “cells” that separate the retroreflective elements of one cell from those of other cells.

A retroreflective “cube-corner” sheeting is shown in Figs. 7 and 8 of this reference. However, this reference teaches only the use of retroreflective elements that are raised cube corner elements. Despite the Examiner’s assertion to the contrary, the specification of McGrath (col. 6, lines 10-20) says nothing about employing cube corner cavities and as a result cannot teach or suggest the use of such cavities.

Based on this understanding of the disclosures of Rowland and McGrath, it is clear that the combination proposed by the Examiner would not result in the present invention. Even if a radiation curable adhesive material from McGrath were to be applied to the grooves of Rowland, one would not make the structure resulting from Applicants’ process. Rather, one would only get a series of linear grooves filled with the radiation curable material. This is not what Applicants have claimed. Consequently the method of claims 22-34 is patentable under 35 U.S.C. § 103(a).

Chau in view of Rowland.

Chau discloses a method for making an optical element. The optical element has a “structured” surface that has a series of linear grooves in it. As in Rowland, the linear grooves of Chau are not cube corner cavities.

The combination of Rowland with Chau proposed by the Examiner would not result in the present invention. It would not make a cube corner article having cube corner cavities. Consequently, the method of claims 22-34 is patentable over 35 U.S.C. § 103(a).

New Claims 35- 36.

These new claims are patentable over the references of record for additional reasons. These claims further describe the structured surface as having a top surface that separates the cube corner cavities. This structure is not shown in any of the references relied upon by the Examiner. As a result, these claims are patentable over these references for this additional reason.

In view of the preceding remarks, it is submitted that claims 22-34 and new claims 35 and 36 have been shown to be patentable. It is further submitted that the claims are in condition for immediate allowance. Reconsideration of the rejections and allowance of claims 22-36 is requested.

Respectfully submitted,

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Date

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Version with markings to show amendments made:

24. (Amended) The method of claim 23, wherein the second applying step applies the composition at a thickness sufficient to form a composition layer covering the recessed faces [and upper portions of the structured surface].

25. (Amended) The method of claim 23 [24], wherein the first cover layer has the flowable composition applied thereto, and the second applying step is carried out by the laminating step.

34. (Amended) The method of claim 31, wherein the second applying step applies the composition at a thickness sufficient to form a composition layer covering [both] the recessed faces [and upper portions of the structured surface].

35. (New) The method of claim 22 wherein the structured surface further includes a top surface separating the cube corner activities.

36. (New) The method of claim 31 wherein the structured surface further includes a top surface separating the cube corner cavities.

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